

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

MARK ANTHONY,

Petitioner,

v.

STATE OF TENNESSEE,

Respondent.

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Case No. 3:13-mc-0190

Chief Judge Haynes

**ORDER**


Before the Court is the Petitioner's motion "to suspend the filing fee" and to tax the costs of the action against the State of Tennessee. (Docket Entry No. 6.) Petitioner Mark Anthony, a state detainee in the custody of the Davidson County Sheriff's Department, filed an earlier petition for the writ of habeas corpus, presumably under 28 U.S.C. § 2241 claiming that he is being unlawfully detained after an arrest by Davidson and Wilson County officials. Petitioner's current motion lacks financial information that Petitioner is financially unable to pay the filing fee. The motion is therefore **DENIED**.

Petitioner has failed to pay the filing fee or to submit a properly supported application to proceed *in forma pauperis* within the time limit set in the Court's December 26, 2013 Order (Docket Entry No. 2). That Order forewarned Petitioner that his failure to comply therewith could result in dismissal of this action. Id.

Accordingly, the Clerk is **DIRECTED** to assign a civil action number to this case and this action is **DISMISSED** without prejudice, for Petitioner's failure to comply with the instructions of the Court and for want of prosecution. Fed. R. Civ. P. 41(b).

It is so **ORDERED**.

**ENTERED** this the 30<sup>th</sup> day of January, 2014.

  
WILLIAM J. HAYNES, JR.  
Chief Judge  
United States District Court